

ERIK J. BERGLUND  
NJ Bar No. 104242014  
Email: [erik.berglund@gmlaw.com](mailto:erik.berglund@gmlaw.com)  
**GREENSPOON MARDER LLP**  
590 Madison Avenue, Suite 1800  
New York, NY 10022  
(212) 524-5000  
*Local Attorneys for Defendant*  
*American Benefit Solutions, LLC*

BETH-ANN E. KRIMSKY  
Fla. Bar No. 968412  
*Pro Hac Vice* Admission Anticipated  
Email: [beth-ann.krimsky@gmlaw.com](mailto:beth-ann.krimsky@gmlaw.com)  
Email: [clemencia.corzo@gmlaw.com](mailto:clemencia.corzo@gmlaw.com)  
JAMEY R. CAMPELLONE  
Fla. Bar No. 119861  
*Pro Hac Vice* Admission Anticipated  
Email: [jamey.campellone@gmlaw.com](mailto:jamey.campellone@gmlaw.com)  
**GREENSPOON MARDER LLP**  
200 East Broward Blvd., Suite 1800  
Fort Lauderdale, Florida 33301  
Tel: (954) 527-6296  
Fax: (954) 333-4027  
*Attorneys for Defendant*  
*American Benefit Solutions, LLC*

SERGIO RACANATI,  
Plaintiff,  
  
v.  
  
AMERICAN BENEFIT SOLUTIONS, LLC,  
Defendant.

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

CASE NO.: 2:18-cv-12086-KM-MAH

Motion Day: Monday, November 19, 2018

**DEFENDANT AMERICAN BENEFIT SOLUTIONS, LLC'S NOTICE OF MOTION  
TO DISMISS PLAINTIFF'S COMPLAINT [D.E. 1] PURSUANT TO  
FED. R. CIV. P. 12(B)(2) AND FED. R. CIV. P. 12(B)(6)**

**PLEASE TAKE NOTICE** that Defendant, American Benefit Solutions, LLC (“American Benefit”), by and through the undersigned attorneys and pursuant to Rules 12(b)(2)

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Defendant American Benefit's Notice of Motion  
Case No.: 2:18-cv-12086-KM-MAH

and 12(b)(6) of the Federal Rules of Civil Procedure, will move on Monday, November 19, 2018, in Courtroom PO 04, located at Martin Luther King Building & U.S. Courthouse, 50 Walnut Street, Newark, New Jersey 07101, before the Honorable Kevin McNulty, United States District Judge, for an Order dismissing Plaintiff Sergio Racanati's ("Plaintiff") Complaint [D.E.1] for lack of personal jurisdiction and failure to state a claim upon which relief can be granted.

In support thereof, American Benefit relies on the attached Memorandum of Law in Support of its Motion to Dismiss. Accordingly, American Benefit respectfully requests this Court dismiss Plaintiff's Complaint with prejudice. A proposed Order is also attached for this Court's convenience.

Dated: October 8, 2018.

Respectfully submitted,

By: /s/ Erik Berglund  
ERIK J. BERGLUND, ESQ.  
*Local Attorneys for Defendant  
American Benefit Solutions, LLC*

BETH-ANN E. KRIMSKY, ESQ.  
JAMEY R. CAMPELLONE, ESQ.  
**GREENSPOON MARDER LLP**  
*Attorneys for Defendant  
American Benefit Solutions, LLC*